

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

LEONARDO LAGO-PLANAS,
ID # 09010735,

Plaintiff,

v.

SERGEANT RIVERA, et al.,

Defendants.

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Civil Action No. **3:09-CV-1760-L**

ORDER

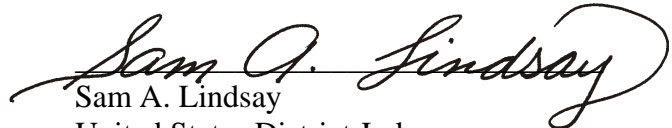
Plaintiff brought this action before the court pursuant to 42 U.S.C. § 1983 against two officers of the Dallas County Sheriff's Department, alleging that they assaulted him. The court referred this case to United States Magistrate Judge Irma C. Ramirez for screening pursuant to 28 U.S.C. § 636(b) and Special Order 3-251. The magistrate judge filed her Findings, Conclusions, and Recommendation on October 23, 2009. Plaintiff filed no objections in response.

In his Complaint, as relief, Plaintiff seeks only criminal charges against Defendants. The magistrate judge, after a careful analysis of jurisdiction, determined that the court has no subject matter jurisdiction in this case because Plaintiff lacks standing. Specifically, that magistrate judge concluded that 42 U.S.C. § 1983 does not provide a means to criminally prosecute anyone, and that Plaintiff's requested relief cannot be redressed by the court. She recommends that the court dismiss this action because it lacks subject matter jurisdiction.

After making an independent review of the pleadings, filings, applicable law, and record in this case, the court **determines** that the findings and conclusions of the United States Magistrate Judge are correct, and they are **accepted** as those of the court. Plaintiff lacks standing and the court

has no subject matter jurisdiction to redress his requested relief. Accordingly, this action is **dismissed** for lack of subject matter jurisdiction.

It is so ordered this 9th day of November, 2009.


Sam A. Lindsay
United States District Judge